

Order

Michigan Supreme Court
Lansing, Michigan

January 13, 2011

Robert P. Young, Jr.,
Chief Justice

141540

Michael F. Cavanagh
Marilyn Kelly
Maura D. Corrigan
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly,
Justices

TIMOTHY ADER,
Plaintiff-Appellant,

v

SC: 141540
COA: 290583
Saginaw CC: 08-001822-CZ

DELTA COLLEGE BOARD OF TRUSTEES,
Defendant-Appellee.

On order of the Court, the application for leave to appeal the June 29, 2010 judgment of the Court of Appeals is considered and, pursuant to MCR 7.302(H)(1), in lieu of granting leave to appeal, we VACATE the judgment of the Court of Appeals and we REMAND this case to the Court of Appeals for reconsideration in light of *Lansing Schools Education Ass'n v Lansing Bd of Education*, 487 Mich 349 (2010).

YOUNG, C.J. (*concurring*).

Although I recognize that this Court's decision in *Lansing Schools Education Ass'n v Lansing Bd of Education*, 487 Mich 349 (2010), now provides the standard that courts should use to determine whether a party to an action has standing, I continue to adhere to the position stated in Justice CORRIGAN's dissenting opinion in that case that Michigan's standing doctrine is constitutionally based and that *LSEA* provides no meaningful standard to enforce these constitutional limits whatsoever. Cf. *Michigan Citizens for Water Conservation v Nestlé Waters North America Inc*, 479 Mich 280 (2007); *National Wildlife Federation v Cleveland Cliffs Iron Co*, 471 Mich 608 (2004); and *Lee v Macomb Co Bd of Comm'rs*, 464 Mich 726 (2001).

CORRIGAN and MARKMAN, JJ., join the statement of YOUNG, C.J.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 13, 2011

Corbin R. Davis

Clerk